

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 2nd Session of the 59th Legislature (2024)

4 ENGROSSED SENATE
5 BILL NO. 1787

 By: Thompson (Kristen) of the
 Senate

6 and

7 Kannady and Deck of the
8 House

9
10 An Act relating to the Oklahoma Open Records Act;
11 amending 51 O.S. 2021, Section 24A.16, which relates
12 to educational records and materials; providing for
 confidentiality of certain contracts; and declaring
 an emergency.

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15 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

16 SECTION 1. AMENDATORY 51 O.S. 2021, Section 24A.16, is
17 amended to read as follows:

18 Section 24A.16. A. Except as set forth in subsection B of this
19 section, public educational institutions and their employees may
20 keep confidential:

- 21 1. Individual student records;
- 22 2. Teacher lesson plans, tests and other teaching material; ~~and~~
- 23 3. Personal communications concerning individual students; and
- 24

1 4. Any contract for use of a student athlete's name, image, or
2 likeness disclosed to a postsecondary institution pursuant to the
3 Student Athlete Name, Image and Likeness Rights Act.

4 B. If kept, statistical information not identified with a
5 particular student and directory information shall be open for
6 inspection and copying. Except as provided in subsection C of this
7 section, each educational institution may choose to designate
8 specific information which shall be classified as directory
9 information for students attending the educational institution. In
10 accordance with the Family Educational Rights and Privacy Act,
11 Section 1232g of Title 20 of the United States Code and Part 99 of
12 Title 34 of the Code of Federal Regulations, "directory information"
13 includes a student's name, address, telephone listing, date and
14 place of birth, major field of study, participation in officially
15 recognized activities and sports, weight and height of members of
16 athletic teams, dates of attendance, degrees and awards received,
17 and the most recent previous educational institution attended by the
18 student. Any educational agency or institution making public
19 directory information shall give public notice of the categories of
20 information which it has designated as directory information with
21 respect to each student attending the institution or agency and
22 shall allow a reasonable period of time after the notice has been
23 given for a parent to inform the institution or agency that any or
24 all of the information designated should not be released without

1 prior consent of the parent or guardian or the student if the
2 student is eighteen (18) years of age or older.

3 C. All educational agencies or institutions which are not the
4 primary custodians of student directory information of students
5 attending the educational institution, but which are allowed to
6 access the information for educational purposes, shall be prohibited
7 from releasing or selling any or all student directory information
8 unless disclosure is authorized by the Family Educational Rights and
9 Privacy Act, Section 1232g of Title 20 of the United States Code and
10 Part 99 of Title 34 of the Code of Federal Regulations, or Section
11 3-168 of Title 70 of the Oklahoma Statutes.

12 D. A public school district may release individual student
13 records for the current or previous school year to a school district
14 at which the student was previously enrolled for purposes of
15 evaluating educational programs and school effectiveness.

16 SECTION 2. It being immediately necessary for the preservation
17 of the public peace, health or safety, an emergency is hereby
18 declared to exist, by reason whereof this act shall take effect and
19 be in full force from and after its passage and approval.

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21 COMMITTEE REPORT BY: COMMITTEE ON GENERAL GOVERNMENT, dated
22 04/04/2024 - DO PASS.
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